

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA

v.

ALBERTO FUENTES, JR.

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CASE NO. 4:11CR118

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**


Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636. On November 10, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Alberto Fuentes, Jr.'s Motion to Suppress Evidence (Dkt. 25) should be DENIED in part and GRANTED in part.

The court, having made a *de novo* review of the objections raised by the Government and the Defendant's response, is of the opinion that, based on the record before it, the findings and conclusions of the Magistrate Judge are correct. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

It is, therefore, **ORDERED** that Defendant Alberto Fuentes, Jr.'s Motion to Suppress Evidence (Dkt. 25) is DENIED as to Defendant's statements and GRANTED as to the seizure of the gun in the closet.

IT IS SO ORDERED.

SIGNED this the 7th day of February, 2012.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE